

1 MATTHEW R. WALSH
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4 (661) 644-0012
5 Plaintiff In Pro Per,

6 **UNITED STATES DISTRICT COURT**
7 **CENTRAL DISTRICT OF CALIFORNIA**

MATTHEW R. WALSH

Case No.: 2:25-CV-05340-ODW-RAO

Plaintiff In Pro Per,

[Assigned to Hon. Otis D. Wright, II,
Courtroom 5D; Hon. Rozella A. Oliver,
Courtroom 590]

vs.

ROKOKO ELECTRONICS
(AND DOES 1 THROUGH 50,
INCLUSIVE)

**OBJECTION TO MINUTE ORDER
(DKT #129)**

Defendant

8
9 TO THE HONORABLE COURT, THE DEFENDANTS AND THEIR COUNSEL
10 OF RECORD: PLEASE TAKE NOTICE: Plaintiff respectfully objects to the
11 Court's order (Dkt #128) which orders the Defendant to show cause **OR** simply
12 refile their Motion to Dismiss.

- 13
- 14 1. **CONTRARY TO ESTABLISHED LAW** - As demonstrated in Plaintiff's
15 OBJECTION to Defendant's Motion to Dismiss (Dkt #127); This very Court
16 has continually upheld Rule 7-3 in regards to Motions to Dismiss.
 - 17 2. This is Defendant's third Motion to Dismiss filed without adhering to L.R.
18 7-3. This very Court found in another case that filing three Motions to

19 Dismiss without meeting and conferring is improper and sanctions/striking
20 should follow unless good cause is shown [*“Because this appeared to be the*
21 *third time that [Defendant] failed to meaningfully meet and confer with*
22 *[Plaintiff] concerning the allegations in Plaintiff’s complaint...the Court*
23 *ordered [Defendants] counsel to show cause why (1) they should not be*
24 *sanctioned ...[or] strike [Defendants] opposition entirely”*] (Clark v.
25 EmCare, Inc., No. CV 16-07503-**ODW** (JC), 2017 WL 7858273, at *1 (C.D.
26 Cal. May 9, 2017))

- 27 3. **EXTENSIONS ALREADY GIVEN** - The Court already gave Defendant
28 an extension due to the holidays to answer, one not afforded to Plaintiff.
- 29 4. **FAILED TO ACT IN TIME** -Defendants squandered that time and failed
30 to meet and confer by January 8, 2026; the last possible day to meet the
31 deadline for a MTD to be filed by the answer deadline of January 15, 2025.
- 32 5. **MOTION SHOULDN’T EXIST** - Defendant filed a defective motion,
33 knowing it was defective – it should not exist as a matter of law, and
34 therefore they did not answer in time.
- 35 6. **EXTREME PREJUDICE OCCURRED** - The effect of the Court’s
36 decision is to permit Defendants an additional filing opportunity despite
37 repeated noncompliance with L.R. 7-3, resulting in procedural prejudice to
38 Plaintiff.

39 7. **DEFENDANT IS TIME BARRED** - Further, the decision to allow
40 Defendant's to simply refile their Motion to Dismiss *after the extended filing*
41 *deadline has passed* has manifested a new litigation pathway towards
42 dismissal which Defendants would otherwise have no access to and was
43 demonstrated contrary to law (Dkt #127).

44 8. Any Motion to Dismiss filed by the Defendant after January 8, 2025 was
45 time barred due to L.R. 7-3. Defendant thereby waived their right to do so
46 and instead should have been required to file an answer instead.

47 9. **ENTITLEMENT TO MOVE THE COURT HAS PASSED** - Pursuant to
48 the established law provided in Dkt #128 and the Local Rules, the
49 Defendants are not entitled to the filing of that motion. They had their
50 chance and chose not to within the time prescribed.

51 10. From January 9, 2025 – January 15, 2025; the only path left was filing an
52 **proper answer.**

53

54 **PRAYER FOR RELIEF**

55 Plaintiff humbly requests that the Court:

56

57 1. REVIEW Plaintiff's opposition to Defendants Motion to Dismiss (Dkt #128)
58 and;

- 59 2. UPHOLD the Local Rules, and established law and determine that
60 Defendant WAIVED their right to move to dismiss due in the time
61 prescribed to do so and;
62 3. ORDER Defendant to substantively answer the Complaint as is within 30
63 days.

64
65 I declare under penalty of perjury under the laws of the United States of America
66 that the foregoing is true and correct.

67
68 Executed this January 16, 2026, in Santa Clarita, California.

69 

70 Matthew R. Walsh
71 Plaintiff In Pro Per